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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-33846-2019 (O&M)

Date of Decision: 15.01.2021

Mayank Sharma

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Sansar Kundu, Advocate,
for the petitioner.

Mr. Vishal Malik, DAG, Haryana,
for respondent No.1/State.

Mr. Sudershan Thakur, Advocate,
for respondent No.2/Complainant.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is the accused in F.I.R No.29, dated 21.05.2019, under Sections 376 & 506 of the IPC [Section 417 of the IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1986 added later on], registered at Police Station Women Police Station, District Rewari (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings, on the basis of compromise.

[2]. Perusal of the FIR (Annexure P-1) goes to show that this is a case of physical intimacy between two consenting adults. The complainant, who was of the age of 29 years at the relevant time in the year 2019 (as seen from her Adhaar Card, Annexure P-3), had only alleged that she had been allured by the accused/petitioner on the proposition of marriage. It was

never her case that at any time any actual force was resorted to on behalf of the petitioner.

[3]. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise/Affidavit of respondent No.2/complainant (Annexure P-2), which is duly signed by her. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate First Class, Rewari, vide report dated 30.01.2020, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[4]. Respondent No.2 is represented by her Counsel through Video Conferencing, who does not dispute the compromise.

[5]. In view of the report of the Judicial Magistrate First Class, Rewari, and in view of the decisions of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has herself compromised the dispute with the petitioner/accused.

[6]. In the circumstances, the present petition is allowed. F.I.R No.29, dated 21.05.2019, under Sections 376 & 506 of the IPC [Section 417 of the IPC and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1986 added later on], registered at Police Station Women Police Station, District Rewari (Annexure P-1), with all

consequential proceedings arising therefrom, is hereby quashed qua the present petitioner.

15.01.2021

Bhumika

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/reasoned: Yes
2. Whether reportable: No